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PATENT AND TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2005 AUG -5 PM 3:17

In re Patent Application of

SANCHEZ-FELIX

US PATENT & TRADEMARK
OFFICE

Atty. Ref.: 620-355

Serial No. 10/519,147

Group: 1734

Filed: December 27, 2004

Examiner: Unknown

For: SAMPLING KITS, DEVICES AND USES THEREOF

* * * * *

August 4, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR REFUND

It is respectfully requested that the undersigned's deposit account be credited \$1,000 in regard to this case on the basis of the following:

This application was filed on December 27, 2004 claiming small entity status. As filed, the application included 20 extra claims so that, in addition to the small entity filing fees (\$500), an extra claims fee of \$500 was paid (see attached copy of Filing Request - note small entity claim on page 2 as indicated in the attached copy and the corresponding reduction in one half of the fees due).

Due to Patent Office error, the small entity claim was not noted and the fees paid were considered solely to be the filing fees and not to include any extra claims fees. Thus, applicant's deposit account was charged \$1,000 on or about June 21, 2005 (copy of PTO fee records sheet attached). Because this application was filed claiming small entity status, all required fees were paid with this application and no charge should have been made to the undersigned's deposit account. Therefore, a refund of \$1,000 to the undersigned's deposit account is in order.

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SANCHEZ-FELIX
Serial No. 10/519,147

PATENT

If there are any questions regarding this request, please direct them to the undersigned at the telephone number indicated below.

US PATENT & TRADEMARK
OFFICE

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



Michelle N. Lester
Reg. No. 32,331

MNL:slj
11th Floor
901 North Glebe Road
Arlington, Virginia 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

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Refund Ref:
NS/28/2000

2535025023

Credit Card Refund Total: 0500.00

Am Exp. to: 2000/01/01

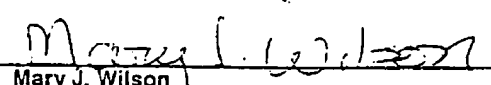
FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 620-355
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) unknown
INTERNATIONAL APPLICATION NO. PCT/GB03/002800	INTERNATIONAL FILING DATE 27 June 2003	PRIORITY DATE CLAIMED 28 June 2002
TITLE OF INVENTION SAMPLING KITS, DEVICES AND USES THEREOF		
APPLICANT(S) FOR DO/EO/US SANCHEZ-FELIX et al.		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☒ The U.S. has been elected (Article 31).
- A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - ☒ is attached hereto (50 pages specification & claims (40 claims), 13 sheets drawings).
 - ☒ has been communicated by the International Bureau.
 - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(3))
 - ☐ is attached hereto (pages specification, claims & abstract (claims), sheets drawings).
 - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ Amendments to the claims of the international Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - ☐ are attached hereto (required only if not communicated by the International Bureau).
 - ☐ have been communicated by the International Bureau.
 - ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
 - ☐ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 - ☒ Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (6 page Form PCT/RO/101 and first page of printed publication WO 2004/003515 A2 acknowledging receipt thereof attached).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(5)).
Items 11 To 20 below concern document(s) or information included:
- ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
- ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- ☒ A **FIRST** preliminary amendment.
 - ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
- ☐ An Application Data Sheet under 37 C.F.R. § 1.76.
- ☐ A substitute specification.
- ☐ A change of power of attorney and/or address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
- ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☐ Other items or information.

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Mail Stop PCT

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) unknown		INTERNATIONAL APPLICATION NO. PCT/GB03/002800		ATTORNEY'S DOCKET NUMBER 620-355	
<input checked="" type="checkbox"/> The following fees are submitted:					
BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):					
<input checked="" type="checkbox"/> a) Basic national fee				\$300.00	\$ 300.00
<input checked="" type="checkbox"/> b) Examination Fee				\$200.00	\$ 200.00
<input checked="" type="checkbox"/> c) Search Fee				\$500.00	\$ 500.00
TOTAL OF ABOVE CALCULATIONS				\$1000.00	\$ 1000.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
63	-100	0	/50 =	0.00	X \$250.00 \$ 0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).					
CLAIMS		NUMBER FILED		NUMBER EXTRA	RATE
Total Claims		40		minus 20 =	20 X \$50.00 \$ 1000.00
Independent Claims		3		minus 3 =	0 X \$200.00 \$ 0.00
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)				\$360.00	\$
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$120.00/1 month; \$450.00/2 months; \$1020.00/3 months)					
TOTAL OF ABOVE CALCULATIONS =					\$ 2000.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by one half.					
SUBTOTAL =					\$ 1000.00
Processing fee of \$130.00, for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).					
TOTAL NATIONAL FEE =					\$ 1000.00
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property					
					\$ 40.00
Fee for Petition to Revive Unintentionally Abandoned Application (\$1500.00 - Small Entity = \$750.00)					
					\$ 0.00
TOTAL FEES ENCLOSED =					\$ 1040.00
					Amount to be:
					refunded \$
					Charged \$
a. <input type="checkbox"/> A check in the amount of \$40.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees. A duplicate copy of this form is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed. d. <input checked="" type="checkbox"/> CREDIT CARD PAYMENT FORM ATTACHED. e. <input checked="" type="checkbox"/> The entire content of International Application No. PCT/GB03/002800 and any U.S. and foreign application(s) corresponding thereto, and GB 0215044.9, referred to in this application is/are hereby incorporated by reference in this application. NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status. CORRESPONDENCE ADDRESS Direct all correspondence to:					
<input checked="" type="checkbox"/> Customer Number:		23117			
Type Customer Number here					
Telephone: (703) 816-4000 Fax:					
 Mary J. Wilson NAME					
32,955 REGISTRATION NUMBER					
December 27, 2004 Date					

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PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

01/03/2005 MKAYPAGH 00000107 10519147

01 FC:1631	300.00 OP
02 FC:1632	500.00 OP
03 FC:1633	200.00 OP

06/21/2005 SVIGIL 00000001 141140 10519147
01 FC:1615 1000.00 DA

PTO-1556
(5/87)

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PATENT APPLICATION FEE DETERMINATION RECORD

Effective December 8, 2004

Application or Docket Number

10:519147

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
U.S. NATIONAL STAGE FEES		
BASIC FEE	SMALL ENT. = \$ 150	LARGE ENT. = \$ 300
EXAMINATION FEE	Satisfies PCT Article 33(1)-(4) = \$ 50 / \$ 100	All other situations = \$ 100 / \$ 200
SEARCH FEE	U.S. is ISA = \$ 80 / \$ 100 ALL other countries = \$ 200 / \$ 400	All other situations = \$ 250 / \$ 500
FEE FOR EXTRA SPEC. PGS.	minus 100 =	/ 50 =
TOTAL CHARGEABLE CLAIMS	40 minus 20 =	20
INDEPENDENT CLAIMS	3 minus 3 =	
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

* If the difference in column 1 is less than zero, enter "0" in column 2

SMALL ENTITY TYPE ☐ OR

OTHER THAN SMALL ENTITY

RATE	FEE		RATE	FEE
BASIC FEE		OR	BASIC FEE	300
EXAM. FEE			EXAM. FEE	200
SEARCH FEE			SEARCH FEE	500
X \$ 125 =			X \$ 250 =	
X \$ 25 =		OR	X \$ 50 =	1000
X \$ 100 =		OR	X \$ 200 =	
+ \$ 180 =		OR	+ \$ 360 =	
TOTAL		OR	TOTAL	

CLAIMS AS AMENDED - PART II

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus **	=
Independent	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

SMALL ENTITY OR

OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X \$ 25 =		OR	X \$ 50 =	
X \$ 100 =		OR	X \$ 200 =	
+ \$ 180 =		OR	+ \$ 360 =	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus **	=
Independent	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X \$ 25 =		OR	X \$ 50 =	
X \$ 100 =		OR	X \$ 200 =	
+ \$ 180 =		OR	+ \$ 360 =	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than "20", enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than "3", enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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